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ORACLE AMERICA, INC.

21 UNITED STATES DISTRICT COURT
22 NORTHERN DISTRICT OF CALIFORNIA
23 SAN FRANCISCO DIVISION

24 ORACLE AMERICA, INC.
25 Plaintiff,
26 v.
27 GOOGLE INC.
28 Defendant.

Case No. CV 10-03561 WHA

**[PROPOSED] ORDER GRANTING
RELIEF FROM NON-DISPOSITIVE
PRETRIAL ORDER OF MAGISTRATE
JUDGE**

Dept.: Courtroom 8, 19th Floor
Judge: Honorable William H. Alsup

[PROPOSED] ORDER GRANTING RELIEF
FROM NON-DISPOSITIVE PRETRIAL
ORDER OF MAGISTRATE JUDGE

1 This Court has read and considered Plaintiff Oracle America, Inc.'s Motion for Relief
2 from Non-Dispositive Pretrial Order of Magistrate Judge, any Opposition thereto and Reply in
3 support thereof, and any and all additional supporting papers.

4 Based thereon [and on statements made by counsel at the hearing on the Motion], IT IS
5 HEREBY ORDERED THAT all Objections set forth in the Motion are SUSTAINED.

6 As to the first category of documents—i.e., the more than 10,000 documents withheld
7 with no attorney identified as recipient, author, copyee, custodian, or otherwise—Google is
8 hereby ordered to produce those documents within [] days of this Order.

9 As to the second category of documents—i.e., the over 7,000 documents in which lawyers
10 are listed merely as copyees—Google is hereby ordered to produce those documents within []
11 days of this Order. [Alternatively, Google is hereby ordered to produce those documents to this
12 Court for *in camera* review within [] days of this Order.]

13 As to the third category of documents—i.e., documents that are included on the privilege
14 log because a recipient is an in-house lawyer with a predominantly business or public policy
15 role—Google is hereby ordered to produce those documents within [] days of this Order.

16 As to the fourth category of documents—i.e., emails bearing a resemblance to the August
17 7, 2010 “Lindholm Email,” including (but not limited to) log entries 36,460-64, 36,466-72,
18 36,481-22, and 36,490—Google is hereby ordered to produce those documents to this Court for *in*
19 *camera* review within [] days of this Order.

20 IT IS SO ORDERED.

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THE HONORABLE WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE
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